

### REMARKS

The final Office Action dated March 20, 2009 has been received and its contents carefully noted. Claims 1-43 and 45-82 are pending in this application. Claims 1-43 are allowed, claims 65, 69, 70, 73, 77 and 82 are objected to, and claims 45-64, 66-68, 71-72, 74-76 and 78-81 are rejected. With this paper, claims 65, 69, 70, 73, 77 and 82 are amended, claims 45-64, 66-68, 71-72, 74-76 and 78-81 are canceled, and no new claims are added, so that claims 1-43, 65, 69, 70, 73, 77 and 82 now remain pending in the application.

#### Claim Rejections under 35 USC §102

At sections 2-3 of the Office action, the Office rejects claims 45-64, 66-68, 71-72, 74-76 and 78-81 under 35 USC §102(b) as being anticipated by Yoneyama. Applicants have canceled claims 45-64, 66-68, 71-72, 74-76 and 78-81.

#### Allowable Subject Matter

At sections 4-6 of the Office action, the Office indicates that claims 1-43 are allowed, and that claims 65, 69, 70, 73, 77 and 82 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants have amended claims 65, 69, 70, 73, 77 and 82 accordingly to include all of the limitations of the base claim and any intervening claims.

Applicants acknowledge the allowed and allowable claims and thank the Office for its kind consideration.

#### Information Disclosure Statement Objection

At section 8 of the Office action, the Office asserts that the information disclosure statement filed January 2, 2009 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPRP §609 because some of the references lack proper dates. The Office indicates that the information disclosure statement has been placed in the application file, but that the cross out information referred to therein has not been considered as to the merits.

Applicants respectfully submit that the crossed-out information includes separate recitation of the English-language translations of various disclosed references on the PTO-1449 form. Since these listings are merely translations of references that are properly dated, disclosed and considered, applicants respectfully submit that the translations do not require a separate date. Nonetheless, applicants submit herein a replacement form PTO-1449 re-listing the crossed-out information differently so as to satisfy the stated requirements.

### CONCLUSION

It is respectfully submitted that the amendments to claims 65, 69, 70, 73, 77 and 82 comply with the statement made in the final Office Action (see page 3, section 5) and are not believed to require any new examination. As such, these claim amendments are believed to be in compliance with 37 C.F.R. §1.116 and entry of this amendment is earnestly solicited.


For all the foregoing reasons it is believed that claims 1-43, 65, 69, 70, 73, 77 and 82 are in condition for allowance and their passage to issue is earnestly solicited. Applicants' agent urges the Office to call to discuss the present response if anything in the present response is unclear or unpersuasive.

Applicants respectfully submit that no fees are due with the submission of this paper, however, the Commissioner is hereby authorized to charge deposit account 23-0442 for any fee deficiencies of which the applicants are unaware.

Date: 5/29/09

WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
Bradford Green, Building Five  
755 Main Street, P.O. Box 224  
Monroe, CT 06468  
(203) 261-1234  
Customer No. 004955

Respectfully submitted,

  
Cathy A. Sturmer  
Agent for the Applicants  
Registration No. 60,869